

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

KEVIN DEMOND MCCOY,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-16-487-M
)	
JOHN WHETSEL, Oklahoma County)	
Sheriff, OKLAHOMA COUNTY)	
SHERIFF'S OFFICE, and OKLAHOMA)	
COUNTY JAIL MEDICAL STAFF,)	
)	
Defendants.)	

ORDER

On June 9, 2016, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended this action be dismissed as follows: (1) dismiss, with prejudice, plaintiff's claims against the Oklahoma County Sheriff's Office, and (2) dismiss, without prejudice, all of plaintiff's remaining claims for failure to state a 42 U.S.C. § 1983 claim. Plaintiff was advised of his right to file an objection to the Report and Recommendation by June 29, 2016.¹ A review of the file reveals no objection to the Report and Recommendation has been filed.

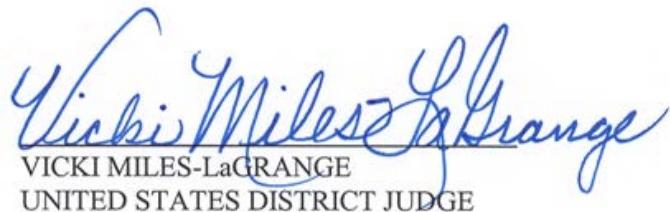
Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 12] issued by the Magistrate Judge on June 9, 2016;
- (2) DISMISSES plaintiff's Complaint as follows: (1) the Court dismisses, with prejudice, plaintiff's claims against the Oklahoma County Sheriff's Office; and (2) the Court dismisses, without prejudice, all of plaintiff's remaining claims for failure to state a 42 U.S.C. § 1983 claim; and

¹ On July 8, 2016, the Court entered an Order granting plaintiff an extension to file his objection on or before September 9, 2016.

(3) FINDS that plaintiff's remaining motions – Motion to Expand Brief in Support [docket no. 5], Motion to Appoint Counsel [docket no. 6], Motion for Evidentiary Hearing [docket no. 7], and Motion for Discovery [docket no. 8] are now MOOT.

IT IS SO ORDERED this 16th day of February, 2017.



VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE